

COMMON COUNCIL
SPECIAL MEETING MINUTES
THURSDAY, JANUARY 24, 2013 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Mayor James Brainard, Councilors Carol Schleif, Sue Finkam, W. Eric Seidensticker, Luci Snyder, Ronald E. Carter, Kevin D. Rider, Clerk-Treasurer Diana L. Cordray and Deputy Clerk Treasurer Lois Fine.

Council President Richard L. Sharp was not in attendance.

Mayor Brainard called the meeting to order at 6:02 p.m.

Senior Minister Graham Richard, Central Christian Church, pronounced the Invocation.

Mayor Brainard led the Pledge of Allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

There were none.

APPROVAL OF MINUTES:

Councilor Schleif made a motion to approve minutes from the January 7, 2013 Regular Meeting. Councilor Snyder seconded. There was no Council discussion. Councilor Seidensticker called for the vote. Minutes were approved 6-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

Bob Wallace, addressed the Council regarding numerous issues dealing with City business.

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

Councilor Snyder addressed the Council regarding the Hamilton County Humane Society.

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Snyder made a motion to approve claims in the amount of \$3,879,958.32. Councilor Schleif seconded. There was no Council discussion. Councilor Seidensticker called for the vote. Claims were approved 6-0.

COMMITTEE REPORTS:

Councilor Snyder reported that the Finance, Administration and Rules Committee had met and discussed Ordinance D-2118-12. The committee report will be given when the item appears on the agenda. The next meeting will be held on Thursday, February 21, 2013 at 5:30 p.m.

Councilor Seidensticker reported that the Land Use, Annexation and Economic Development Committee had not met. The next meeting will be held on Tuesday, February 26, 2013 at 5:30 p.m.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Finkam reported that the Utilities, Transportation and Public Safety Committee had met and discussed Resolution CC-12-17-12-01, Resolution CC-12-17-12-02 and Ordinance D-2117-12. The committee also discussed Resolution CC-01-07-13-01 which remains in committee. The committee report will be given when the items appear on the agenda. The next meeting will be held on Monday, February 11, 2013 at 6:00 p.m.

OLD BUSINESS

Councilor Seidensticker announced the **Third Reading of Ordinance D-2118-12**; An Ordinance of the Common Council of the City of Carmel, Indiana **AMENDING ORDINANCE D-2104-12** (Fixing Salaries of Appointed Officers and Employees of the City of Carmel, Indiana, for the Year 2013). Councilor Snyder addressed the Council. This item was Tabled until the next Council meeting.

Councilor Seidensticker announced **Resolution CC-09-17-12-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Amending the Carmel Clay Comprehensive Plan "C3 Plan 2009" Regarding the Transportation Plan; Sponsor: Councilor Rider. Remains in the Land Use, Annexation and Economic Development Committee (2/26/13). This item was not discussed.

Councilor Seidensticker announced **Resolution CC-01-24-13-01 (Formerly CC-12-17-12-01)**; A Resolution of the Common Council of the City of Carmel, Indiana, Amending the Contract with Carmel Professional Firefighters Association (*Local #4444*). Councilor Finkam presented the Utilities, Transportation and Public Safety Committee report to the Council. This item was referred back to the Council with a scrivener's error; delete (*see attached matrix*) on line 269, Section 8, Definitions, GRADE. There was brief Council discussion. Councilor Finkam made a motion to approve Resolution CC-01-24-13-01. Councilor Rider seconded. There was no Council discussion. Councilor Seidensticker called for the vote. **Resolution CC-01-24-13-01** was adopted 6-0.

Councilor Seidensticker announced **Resolution CC-01-24-13-02 (Formerly CC-12-17-12-02)**; A Resolution of the Common Council of the City of Carmel, Indiana, Amending the Contract with the Carmel Fraternal Order of Police Lodge #185. Councilor Finkam presented the Utilities, Transportation and Public Safety Committee report to the Council and made a motion to present Resolution CC-01-24-13-02 AS AMENDED, VERSION B to the Council for discussion. Councilor Rider seconded. There was brief Council discussion. Mayor Brainard addressed the Council. Councilor Seidensticker called for the vote. The motion to amend Resolution CC-01-24-13-02 was approved 4-2 (Councilors Seidensticker and Schleif opposed). Councilor Seidensticker called for the question to approve Resolution CC-01-24-13-02 As Amended. **Resolution CC-01-24-13-02 As Amended** was adopted 6-0.

Councilor Seidensticker announced **Resolution CC-01-24-13-03 (Formerly CC-01-07-13-01)**; A Resolution of the City of Carmel, Indiana, Approving and Adopting Interlocal Agreement between the Hamilton County Drainage Board and the City of Carmel Regarding Construction of Drainage Improvements within and Serving Bridlebourne Subdivision; Sponsor: Councilor Schleif. Remains in the Utilities, Transportation and Public Safety Committee (2/11/13). This item was not discussed.

Councilor Seidensticker announced the **Second Reading of Ordinance Z-570-13**; An Ordinance of the Common Council of the City of Carmel, Indiana, Changing the Zoning Classification of 4.59 Acres +/- of Land Located on the Southeast Corner of 146th Street and Gray Road from the S-1/Residence District classification to the B-1/Business District Classification (*Ricker's of Carmel/Fuel, Gas Station, Convenience Store*); Sponsor(s): Councilor(s) Finkam and Rider. Remains in the Land Use, Annexation and Economic Development Commission (2/26/13). This item was not discussed.

PUBLIC HEARINGS

Councilor Seidensticker announced the **Third Reading of Ordinance D-2117-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Approving an Additional Appropriation for the Barrett Law Construction Fund (\$161,000 for the Hunters Creek Barrett Law Street Lighting Project). The Public Hearing for this item was opened on December 17, 2012 at 6:28 p.m. and continued to this meeting.

Don Senter addressed the Council to oppose Ordinance D-2117-12.

Seeing no one else who wished to speak, Councilor Seidensticker closed the Public Hearing at 6:34 p.m. Councilor Finkam presented the Utilities, Transportation and Public Safety Committee report to the Council. This item was referred back to the Council with an unfavorable recommendation. Councilor Snyder made a motion to approve Ordinance D-2117-12. Councilor Carter seconded. There was no Council discussion. Councilor Seidensticker called for the vote. Ordinance D-2117-12 FAILED 0-6 (Councilors Schleif, Finkam, Seidensticker, Snyder, Carter and Rider opposed).

NEW BUSINESS

Councilor Seidensticker announced the **First Reading of Ordinance D-2119-13**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 3, Article 2, by Adding a New Section Identified as §3-42 (*Establishment of Violations Bureau and Appointment of Violations Clerk*). Councilor Carter made a motion to move this item into business. Councilor Finkam seconded and referred to Carmel City Judge Brian Poindexter to present this item to the Council. Councilor Rider made a motion to suspend the rules and not send this item to committee and vote this evening. Councilor Schleif seconded. There was no Council discussion. Councilor Seidensticker called for the vote. The motion was approved 6-0. Councilor Schleif made a motion to approve Ordinance D-2119-13. Councilor Finkam seconded. There was no Council discussion. Councilor Seidensticker called for the vote. **Ordinance D-2119-13** was adopted 6-0.

Councilor Seidensticker announced the **First Reading of Ordinance D-2120-13**; An Ordinance of the Common Council of the City of Carmel, Indiana Amending Chapter 6, Article 3, by Repealing the Section Identified as § 6-32 (*Carmel Fire Prevention Code*) to the Carmel City Code. Councilor Rider made a motion to move this item into business. Councilor Finkam seconded. Councilor Schleif referred to Carmel City Judge Brian Poindexter to present this item to the Council. Councilor Rider made a motion to suspend the rules and not send this item to committee and vote this evening. Councilor Snyder

seconded. There was no Council discussion. Councilor Seidensticker called for the vote. The motion was approved 6-0. Councilor Schleif made a motion to approve Ordinance D-2120-13. Councilor Carter seconded. There was no Council discussion. Councilor Seidensticker called for the vote. **Ordinance D-2120-13** was adopted 6-0.

OTHER BUSINESS

City Council Appointments:

Carmel Fire Department Merit Board (Term expires 1/1/15, two year term); One appointment. Councilor Carter nominated Don Stauder. There was brief Council discussion. Councilor Seidensticker closed the nomination. Don Stauder was reappointed by acclimation.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENT

ADJOURNMENT

Mayor Brainard adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

James Brainard, Mayor

ATTEST:

Diana L. Cordray, IAMC, Clerk-Treasurer